

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 249A.4 and 2013 Iowa Acts, Senate File 446, section 7(6), the Department of Human Services proposes to amend Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

These amendments are due to a mitigation strategy approved by the Centers for Medicare and Medicaid Services (CMS) to allow Iowa to keep the current family planning eligibility system until June 30, 2014. Iowa requested to keep the family planning system separate from the new Medicaid eligibility system due to the time constraints of developing a new medical assistance eligibility system to process applications as required under the Patient Protection and Affordable Care Act. The family planning system will continue to process applications under non-modified adjusted gross income (MAGI) determinations.

CMS waived requirements of 42 U.S.C. § 1396a(e)(14) to allow Iowa to use non-MAGI determinations on a time-limited basis.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 1212C**. The purpose of this Notice is to solicit comments on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendments on or before December 31, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because the legislation does not specifically allow for waivers. Requests for waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4 and 2013 Iowa Acts, Senate File 446, section 7(6).